

REMARKS

Claims 1-8 are pending in this application. Claims 1-3 and 5-7 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 4 and 8. In light of the remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claims 1 and 5 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,081,606 to ("Hansen"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Applicant notes that among the limitations of independent claims 1 and 5 not present in the cited reference is a response output selecting unit for selecting response outputs of said response output unit for each of said local areas in accordance with said spatial and time correlation function. The Examiner asserts that the correlation function calculating unit is disclosed at column 5, lines 15-16. However, this is not the correlation function calculating unit in Applicant's claim. Applicant claims a correlation function that calculates spatial and time correlation functions between each response unit.

The correlation function in Applicant's claim is not used to determine or select the maximum correlation value as taught in Hansen. The claimed correlation further is

used to select response units whose outputs are mutually correlated. As disclosed in equations 15-16, the output of a direction detecting unit n is computed by summing up outputs of mutually correlated response units, R , defined in equation 1. Further, Applicant does not use interpolation to determine motion estimation as taught in Hansen.

In the Examiner's response to Applicant's arguments, the Examiner asserts that because the preamble of Applicant's claim uses "comprises", it does not preclude the inclusion of interpolation for correlation as disclosed in Hansen. However, while Applicant agrees that "comprising" is an open-ended transitional phrase, the fact that Applicant explicitly recites a means for correlation excludes the inclusion of a second additional way to perform correlation, i.e., the interpolation disclosed by Hansen. Thus, Applicant respectfully submits that Hansen fails to disclose Applicant's explicitly recited claim limitations and respectfully requests reconsideration and withdrawal of the rejection.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Application No.: 10/027,007

Docket No.: X2278.0036

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: October 4, 2005

Respectfully submitted,

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